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JUN 25 2008

BOARD OF PHARMACY

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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF PHARMACY

IN THE MATTER OF THE SUSPENSION
OR REVOCATION OF THE LICENSE OF

Administrative Action

CONSENT ORDER

DARLENE M. TONG, R.P.
License No. RI02487500

TO PRACTICE PHARMACY IN THE
STATE OF NEW JERSEY

This matter was opened to the New Jersey State Board of Pharmacy upon the receipt of allegations that respondent, from March of 2003 through February 2007, diverted from her employer's active drug stock, Schedule III and IV controlled dangerous substances, to wit, Vicodin, and Xanax, for respondent's own consumption.

The parties wishing to resolve this matter without further proceedings, respondent waiving any right to a hearing, and the Board finding the within order sufficiently protective of the public health, safety and other good cause shown;

ACCORDINGLY, IT IS ON THIS 25th DAY OF JUNE, 2008,

ORDERED AND AGREED:

That the Board of Pharmacy shall accept the voluntary surrender of the license of Darlene ~~T~~ong, R.P. to practice pharmacy in the State of New Jersey; and it is further

AGREED: That pending further order of the Board, respondent shall cease and desist from engaging in the practice of pharmacy, including the following: respondent shall not handle, order, inventory, compound, count, fill, refill or dispense any drug; she shall not handle anything requiring a prescription including devices and medications; she shall not handle prescriptions; she shall not advise or consult with any patient, and she is prohibited from being present within a prescription filling area of a pharmacy; (except that respondent may handle and have filled medication for her own use, as prescribed or dispensed by a licensed professional for medical indication; and it is further

AGREED: That pending further order of the Board respondent shall by execution of the within Order surrender her original wall certificate, and her most recent renewal card of her license to an authorized representative of the Board; and it is further

AGREED: That prior to December 19, 2008, respondent shall provide the Board with evidence that documents her continued sobriety for a minimum period of ten (10) months and that she is capable of safely discharging the functions, of a licensee and is

in documented recovery from abuse of mood altering substances. Such information shall include, but not be limited to, weekly, random, witnessed urine screens negative for the presence of any mood altering substances, (unless documentation and notice is provided at the time the prescription is written and in advance of the drug screen that respondent has a legitimate medical reason for the prescription and that such dosage is consistent with the prescription's direction for use), complete treatment records of all diagnostic and rehabilitative therapy and an in-depth, current evaluation from a Board approved psychiatrist or psychologist attesting to respondent's recovery and her ability to safely practice; and it is further

AGREED: That upon receipt of such evidence that respondent has maintained sobriety and has met the other conditions of this order, and that she can safely discharge the functions of a licensee, as set forth above, the Board may require that respondent appear before a committee of the Board to further demonstrate her sobriety and capability to safely discharge the functions of a licensee. Assuming receipt of all information listed in the preceding paragraph and this paragraph no later than December 19, 2008, such appearance shall take place no later than the first available meeting in January, 2009. Provided the Board is satisfied after the appearance, that respondent has maintained sobriety and is capable of discharging the functions of a licensee safely, within one week of such meeting the Board shall restore

respondent's license upon such terms and conditions as it deems reasonably necessary to assure her continued sobriety and that she remains capable of discharging her functions as a licensee. Should respondent not demonstrate to the Board her fitness to return to practice, the Board may, in lieu of restoring respondent's license, suspend respondent's license for such additional period as may be necessary to protect the public health, safety and welfare.

That this Order is entered without prejudice to action by any other agency based on the facts herein or action by this agency based upon conduct occurring after the date of this Order or conduct occurring before the date of this Order, unrelated to the allegations set forth above.

NEW JERSEY STATE Board OF PHARMACY

By: Edward G. McGinley
Edward G. McGinley, R.Ph.

I have read the within Order and understand its terms. I agree to be bound by its terms and hereby consent to its entry by the New Jersey Board of Pharmacy.

Darlene Tong, R.Ph.
Darlene Tong, R.P.
Respondent

Consent, as to form and entry.

Steven I. Kern, Esq.